

REMARKS

These remarks are directed to the office action mailed April 21, 2008, setting a three month shortened statutory period for response which expired on July 21, 2008. A three month extension request and required fee authorization accompanies this amendment to reset the period so as to expire on October 21, 2008. The office action issued by the Examiner and the citations referred to in the office action have been carefully considered.

Prompt reconsideration is requested in view of the above claim amendments and the following remarks. As indicated, amendments introduce no new matter. Claim 5 has been cancelled. Claims 1-4 and 6-13 are currently pending.

Claim Objections

Claims 1-13 have been objected to because of informalities. Claims 1-13 have been amended as suggested by the Examiner to overcome the objections.

Specification

The disclosure has been objected to because of informalities. The specification has been amended to include sub-headings, thus overcoming the objections.

Claim Rejections under 35 USC § 103

Claims 1-13 have been rejected under 35 USC §103(a) as being unpatentable over Vestergaard (U.S. Pub. No. 2002/0068574) in view of Jiang (U.S. Pub. No. 2002/0057678).

Independent claim 1 has been amended such that the information transfer mechanism comprises one or more of the group of Dual Tone Multiple Frequency (DTMF); Direct Dial In (DDI); Unstructured Supplementary Services Data (USSD); and Short Message Service (SMS).

Vestergaard discloses a mobile telecommunications system that permits a user to select different operational configurations for use with different networks. However, as stated by the

Examiner in the office action, Vestergaard does not teach retrieving data on information transfer mechanisms supported by the mobile communication device, first network, and second network, or selecting an information transfer mechanism supported by the mobile communication device, first network, and second network. Furthermore, Vestergaard does not teach or suggest the use of DTMF, DDI, USSD, or SMS as an information transfer mechanism.

Jiang discloses a method and system for wireless voice channel/data channel integration. During a communication session, a wireless data session can be triggered from a voice session and a voice session can be triggered from a wireless data session. Applicant submits that having a data channel that controls, guides, and triggers the voice channel and vice versa (paragraph [0075] of Jiang) in a network is distinctly different from retrieving data regarding information transfer mechanisms supported by the mobile communication device, first network, and second network, and then subsequently selecting an information transfer mechanism supported by the mobile communication device, first network, and second network.

The Examiner also refers to a number of passages in Jiang. Applicant respectfully submits that these passages do not teach or suggest all the elements of claim 1. More specifically: paragraph [0086] of Jiang only teaches the use of XML based content in the communication; paragraph [0151] teaches the use of Automatic Number Identification (ANI) to obtain identification of user. When ANI is not available, there is a prompt to the user to input identification using DTMF (regular key input from mobile device); paragraphs [0410]-[0411] teach the use of wallet information stored as HTML, WML, or XML data file. Applicant submits that Jiang does not teach or suggest the selection of DTMF, DDI, USSD, or SMS as the information transfer mechanism based on the retrieved data of supported information transfer mechanisms for the mobile device and the networks.

Applicant submits that none of the cited references teach or suggest all the elements and limitations of independent claim 1. Therefore, independent claim 1 and the claims dependent therefrom are not obvious and are therefore patentable under 35 USC §103. The Examiner is respectfully requested to reconsider and now withdraw the Examiner's rejection.

Conclusion

It is respectfully submitted that all of the Examiner's objections have been successfully traversed and that the application is now in order for allowance. Accordingly, reconsideration of the application and allowance thereof is courteously solicited.

The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to **Deposit Account Number 50-2638**. Please ensure that Attorney Docket Number 072998-012300 is referred to when charging any payments or credits for this case.

Respectfully submitted,

Date: October 21, 2008

A handwritten signature in dark ink, appearing to read 'Daniel H. Wu', is written over a horizontal line.

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